

IN THE UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF PENNSYLVANIA

KEVIN VASHAUN MCKINLEY : CIVIL ACTION  
QF-3965 :  
V. : NO. 21-960  
STANLEY STANISH, MD :

NOTICE OF STANLEY STANISH, MD

On September 21, 2022, this Court issued an Order granting defendant, Stanley Stanish, MD's ("Dr. Stanish") Motion to Dismiss. But allowed plaintiff, Kevin V. McKinley ("McKinley") permission to file a Second Amended Complaint by October 20, 2022. (Doc. 28). The Order indicated that plaintiff's failure to file a Second Amended Complaint in accordance with the requirements set forth in the Memorandum concurrently filed herewith may result in the dismissal of this action in its entirety.

On November 3, 2022, this Court issued another Order directed to McKinley for him to show cause. McKinley had to file a Second Amended complaint within twenty-one (21) days of the date of this order or on before Thursday, November 24, 2022, McKinley was directed to show cause why he failed to file an amended complaint as directed in the Order dated September 21, 2022. (Doc. 28). Unless good cause is shown, this action may be DISMISSED.

Show Cause Response due by 11/24/2022. (Doc. 29)

On November 30, 2022, Dr. Stanish filed a Notice with the Court indicating that McKinley had not complied with the Court Orders. (Doc. 30). The Rule indicated that the case may be dismissed in its entirety. Plaintiff did not file anything. It is now almost four months from the original date McKinley had to file a Second Amended Complaint. It is time that the entire matter be dismissed.

WHEREFORE, defendant, Stanley Stanish, MD, respectfully requests that the Court this dismiss this action in its entirety for failure to comply with this Court's prior orders.

GOLD & FERRANTE, PC

BY: /S/ ALEXANDER R. FERRANTE  
ALEXANDER R. FERRANTE  
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CERTIFICATE OF SERVICE

I hereby certify that I have sent a true and correct copy of Defendant, Stanley Stanish, MD's Notice to the Court via US First Class Regular Mail on this date to the following individual:

Smart Communications/PA DOC  
Kevin Vashaun McKinley QF-3965  
SCI Frackville  
PO Box 33028  
St. Petersburg, Florida 33733

/s/ ALEXANDER R. FERRANTE  
ALEXANDER R. FERRANTE

DATE: February 19, 2023